

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

Charles Dipasquale,

*Plaintiff,*

v.

Case No. 3:16-cv-219  
Judge Thomas M. Rose  
Mag. Judge Michael J. Newman

Detective James Hawkins, et al,

*Defendants.*

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**DECISION AND ORDER DENYING PLAINTIFF'S MOTION FOR  
RECONSIDERATION (ECF 59).**

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This matter is before the Court on Plaintiff's Motion for Reconsideration (ECF 59) requesting review of this Court's Order (ECF 54) filed September 27, 2017, which adopted the Magistrate Judge's Report and Recommendation (ECF 42) granting Defendant Herres's Motion for Partial Judgment on the Pleadings (ECF 18), Defendant Proctor's Motion for Judgment on the Pleadings (ECF 25) and Hawkins's Motion for Judgment on the Pleadings (ECF 22) as it relates to a claim of civil conspiracy, but denying Hawkins's Motion as it relates to Plaintiff's claim of malicious prosecution.

Plaintiff's Motion for Reconsideration asks the Court to revisit its analysis of Plaintiff's action against the respondents. That is to say, Plaintiff opposed Defendants' motions before the Magistrate Judge, objected to the Report and Recommendation, and now seeks reconsideration of the adoption order.

After a review of the record, this Court finds that its prior decision was and is correct as a matter of law. Consequently, this Court must deny petitioner's motion. **IT IS THEREFORE ORDERED** that Plaintiff's Motion for Reconsideration be **DENIED**.

**DONE** and **ORDERED** this Friday, February 2, 2018.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE